#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 0 3 2004

IN THE APPLICATION OF:

JOHAN M. STOOP

CASE NO.: BB1494USNA

**CONFIRMATION NO.:** 

**EXAMINER: UNKNOWN** 

APPLICATION NO.: 10/644335

**GROUP ART UNIT: 1638** 

FILED: AUGUST 20, 2003

FOR: PRODUCT OF NOVEL FRUCTOSE POLYMERS IN EMBRYOS OF TRANSGENIC

**PLANTS** 

#### **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with 37 CFR 1.97 and 1.98, Applicants bring to the attention of the U.S. Patent and Trademark Office information listed on the enclosed PTO/SB/08. A copy of the information is also enclosed.

Should any fee be required in connection with the filing of this Information Disclosure Statement, please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,

'Mesbyutta

MARIA RÉSTREPO-HARTWIG

AGENT FOR APPLICANT Registration No.: 52,163 Telephone: (302) 695-3129 Facsimile: (302) 695-3125

Dated: April 19, 2004

**Enclosures** 



PTO/SB/92 (08-03)
Approved for use through 07/31/2006. OMB 0561-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

on 30 April 200.

**MELISSA MCCULLIN** 

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

10/644335 BB1494USNA INFORMATION DISCLOSURE STATEMENT PTO/SB/08 FORMS (4) COPIES OF REFERENCES (22) POSTCARD

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are require the espoi

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE espond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

\_\_\_\_1\_\_\_of\_\_\_\_2

Complete if Known				
Application Number	10/644335			
Filing Date	August 20, 2003			
First Named Inventor	Johan M. Stoop			
Art Unit	1638			
Examiner Name	Unknown			
Attorney Docket Number	BB1494USNA			

				U. S. PATENT			
Examiner Cite No.1		Document Number  Number-Kind Code <sup>2 (# known)</sup>		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US-	6,057,494	05-02-2000	Centrum Voor Plantenveredel-		
		US-			ings-En Reproduktieonderzoek		
		US-	2002-0170086-A1	11-14-2002	DUPONT		
		US-				•	
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
-		US-					
	<u> </u>	US-					
	··	US-			-		
		US-					
		US-					
		US-					

		FOREIGN	PATENT DOCU	IMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T⁵
	1	WO 99/46395 A1	09-16-1999	DUPONT		
	2	WO 99/24593 A1	05-20-1999	MAX-PLANCK		
	3	WO 98/39460	09-11-1998	MAX-PLANCK		
	4	WO 96/21023	07-11-1996	CENTRUM VOOR		
	5	WO 97/42331	11-13-1997	SUDZUCKER		
	6	WO 97/29186	08-14-1997	DJ. VAN DER HAVE B.V.		

Examiner	Date	
Signature	Considered	
J.g. att. 5	00/10/00/00	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Number

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

2

Filing Date	August 20, 2003
First Named Inventor	Johan M. Stoop
Art Unit	1638
Examiner Name	Unknown
Attorney Docket Number	BB1494USNA

Complete if Known

10/644335

			U. S. PATENT D		
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (d known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear
		US-			
		US-	+	<del></del>	<del></del>
		US-			
		US-			
		US-			
-		US-			
		US-			
		US-		<u> </u>	
		US-			

		FOREIG	N PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>3</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>
	7	WO 95/13389	05-18-1995	DUPONT		
	8	WO 96/01904	01-25-1996	STICHTING		
	9	WO 94/14970	07-07-1994	STICHTING	· · · · · · · · · · · · · · · · · · ·	
	10	WO 94/04692	03-03-1994	INSTITUT FUR GEN		
	11	WO 94/11516	05-26-1994	DUPONT		
	12	WO 00/14246	03-16-2000	MAX-PLANCK		

Examiner	·	 Date	1
Signature		Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Approved for use through 06/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	for form 1440B/BTO				Complete if Known
Substitute ii	for form 1449B/PTO			Application Number	10/644335
INFO	RMATION DIS	SCLO!	SURE	Filing Date	August 20, 2003
STA.	STATEMENT BY APPLICANT			First Named Inventor	Johan M. Stoop
317				Art Unit	1638
	(Use as many sheets as	necessary)	į	Examiner Name	UNKNOWN
Sheet	<del></del>	of	2	Attorney Docket Number	BB1494USNA

Sheet						
		NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
	1	HUBERT SCHIWECK ET AL., New Developments in the Use of Sucrose as an Industrial Bulk Chemical, Carbohydrates as Organic Raw Materials, Lichtenthaler ed., VCH Press, NY, pp. 72-82, 1992				
	2	WERNER PRAZNIK ET AL., Inulin Composition during Growth of Tubers of Helianthus tuberosus, Agric. Biol. Chem., Vol. 51(6):1593-1599, 1987				
	3	BAHMAN YAZDI-SAMADI ET AL., Components of Developing Soybean Seeds: Oil, Protein, Sugars, Starch, Organic Acids, and Amino Acids, Agronomy Journal, Vol. 69:48-486, 1977				
	4	SARI A. RUUSKA ET AL., Contrapuntal Networks of Gene Expression during Arabidopsis Seed Filling, The Plant Cell, Vol. 14:1191-1206, 2002				
	<i>)</i> 5	INGRID M. VAN DER MEER ET AL., Cloning of the fructan biosynthesis pathway of Jerusalem artichoke, The Plant J., Vol. 15(4):489-500, 1998				
	6	ELKE M. HELLWEGE ET AL., , Transgenic potato (Solanum tuberosum) tubers synthesize the full spectrum of inulin molecules naturally occuring in globe artichoke (Cynara scolymus) roots, PNAS, Vol. 97(15):8699-8704, 2000				
Examiner		Date Considered				

Examiner Signature		Date Considered	
Olghistare	AN MOED COC	Deen line through	ab citation if not in conformance and not

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation it not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

1 Applicant's unique citation designation is attached.

2 Applicant is to place a check mark here if English language Translation is attached.

2 Applicant is english language Translation is attached.

2 Applicant is to place a check mark here if English language Translation is attached.

3 Applicant is unique citation is attached.

4 Applicant is unique citation is attached.

4 Applicant is unique citation is attached.

5 English language Translation is attached.

6 English language Translation is the public language Translation

PTO/SB/08b (08-03)
Approved for use through 06/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for	form 1449B/PTO				Complete if Known
				Application Number	10/644335
INFO	RMATION DI	SCLO	SURE	Filing Date	August 20, 2003
STAT	STATEMENT BY APPLICANT			First Named Inventor	Johan M. Stoop
				Art Unit	1638
	(Use as many sheets as	necessary)		Examiner Name	UNKNOWN
Sheet	2	of	2	Attorney Docket Number	BB1494USNA

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	7	NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 3367690, ACCESSION NO: CAA08811, JANUARY 28, 1999, I.M. VAN DER MEER ET AL., Cloning of the fructan biosynthesis pathway of Jerusalem artichoke	
	8	NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 3367711, ACCESSION NO: CA08812, JANUARY 28, 1999, I.M. VAN DER MEER ET AL., Cloning of the fructan biosynthesis pathway of Jerusalem artichoke	
	9	·	
Examiner Signature		Date Considered	=

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.